

## **FAIR HOUSING COMMITTEE**

September 2, 2009 Meeting Minutes    Approved October 7, 2009

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**Fair Housing Committee members in attendance:** Sheila Mondschein (chair), Phil Herr, Josephine McNeil, Esther Schlorholtz

**Staff:** Trisha Kenyon Guditiz and Robert Muollo, Jr.

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### **1. Review and approval of August minutes**

A quorum was not present at the meeting to approve the August meeting minutes. Phil motioned that the first name of the person who is speaking during a Fair Housing Committee meeting be attached to their respective comments, questions, and statements in the meeting minutes. The Committee will wait for a quorum at the next meeting to vote on this matter.

### **2. FHIP NOFA**

Sheila updated the Committee on her previous discussions with Trisha regarding the Fair Housing Initiatives Program (FHIP) grant NOFA, for which applications are due by September 18, 2009. Trisha explained to the Committee that a strategic decision was made by the City staff to not apply for the FHIP during this grant cycle due to the limited amount of available resources.

Trisha asked that the Committee focus on the \$25,000 available to them for FY10. Trisha believed that staff can apply for the FHIP in the summer of 2010.

(See agenda Item #3 for a list of proposed ways to utilize the funding currently available to the Fair Housing Committee)

### **3. Fair Housing Activities for FY10 and Consolidated Plan Needs Assessment**

Sheila discussed strategies for consideration by the Fair Housing Committee regarding how \$10,000 in FY10 CDBG funding given to the Committee should be spent.

Sheila's strategies for consideration for the FY10 allocation of funding for the Fair Housing Committee included:

- Providing fair housing training for staff, city officials, and decision makers on familial status discrimination;

- Providing fair housing training to Newton Housing Authority staff, with particular attention to reasonable accommodation requirements for clients with a disability;
- Providing fair housing training on an ongoing basis to real estate agents (including recommending a signed fair housing form for them to use for property listings);
- Providing fair housing training to housing providers, including nonprofits and other social service providers; Sheila noted that it is important to reach out to housing counselors and social service providers since they are often the first point of contact for clients seeking housing, and also to nonprofit housing providers;
- Providing fair housing training on an ongoing basis for landlords, especially regarding lead paint compliance, Section 8 tenants, and disability requirements;
- Distributing written literature on fair housing rights and responsibilities more broadly and possibly in further translation;
- Updating City fair housing website to reflect most current legal mandates and laws and make it more accessible;
- Publicizing availability of Newton housing discrimination complaint process more widely;
- Maintaining regular contacts with HUD and Massachusetts Commission against Discrimination (MCAD) about fair housing caseload in Newton;
- Making available resources and technical assistance on fair housing to City departments, boards, and committees;
- Collaborating as appropriate with Mayor's Committee for Persons with Disabilities on issues of common concern (e.g. accessibility of public accommodations); and
- Bringing in a consultant to evaluate the City's architectural access system for handling reviews and approvals and to recommend changes. The consultant should also address the need for training if appropriate.

Trisha gave the Committee a document that categorized and summarized the needs and strategies for the Needs Assessment component of the FY11-15 Consolidated Plan. Trisha asked the Committee for their feedback regarding the needs related to fair housing.

The Fair Housing Committee then gave feedback to City staff regarding the document presented by Trisha.

Phil asked for more specificity in the descriptions of the needs, citing their generality. Sheila suggested adding architectural access as an example in the last bullet of the document. Esther said that to better capture income diversity that language should change from "enrich" to "expand," under the first bullet point. Phil suggested the action of working back and forth from inductive to deductive (needs to strategies, strategies to needs) be used to help define and refine the needs further.

Sheila made a point concerning the first bullet point that “cultural” should be removed and “other” should be included after “ethnic” to express a broad sense of diversity.

Trisha agreed, and explained that defining and articulating the needs is a fluid process and the needs can be refined further.

Trisha will provide a draft of the needs and strategies for the October meeting. Any thoughts from the Committee regarding strategies can be sent via email to Trisha before the next meeting.

Esther updated the FHC on the Commonwealth Housing Task Force Expanding Opportunities Committee, explaining that together with Northeastern University and the Boston Foundation it is exploring the feasibility of developing an interactive website to promote best practices by Massachusetts cities and towns in becoming a more open and welcoming communities.

Sheila distributed a list she had requested by Massachusetts Commission Against Discrimination (MCAD) of fair housing complaints in the City of Newton received by MCAD in the past 5 years. Based on that information she noted the importance of providing fair housing education for both for profit and nonprofit housing providers.

Esther suggested that if the Fair Housing Committee would like to provide a fair housing seminar for housing service providers and landlords, such input and facilitation can be provided by the Lawyers Clearinghouse, as it has conducted such educational seminars in the past. This could be another possible alternative to training by the Boston Fair Housing Center.

Additionally, Josephine, Esther, and Phil suggested that a series of fair housing seminars also be held solely for public decision makers, such as the Board of Alderman.

The Committee agreed that the fair housing webpage is a mechanism for discussion on areas of fair housing law including the duty to affirmatively further fair housing. An example of material that could be disseminated to public officials to expand awareness through the webpage medium is information concerning the Westchester County fair housing lawsuit and settlement.

The Committee agreed that placing selected fair housing related cases, laws, updates and other applicable information on the webpage should be done in the future, in addition to conducting appropriate seminars.

#### **4. Discussion of Analysis of Impediments (FY11-15) Update**

Robert gave the Committee a brief introduction on the Analysis of Impediments background and its process. Josephine suggested using the Westchester case to assist the process of bringing in stakeholders to focus on impediments to fair housing in Newton.

Robert asked Committee members who they believed should be involved in the process of developing the Analysis of Impediments through focus groups, interviews, and discussions.

Josephine suggested that elected officials, the Zoning Board of Appeals, the Planning and Development Board, the Board of Aldermen, Inspectional Services Division, Mayoral Staff, and the Assessor's Office should be included in discussions. Josephine also suggested including major for profit developers in the City and realtors.

**5. Other matters (follow up on mayoral forum, meeting with David Norton, City Clerk reasonable accommodation issue, water & sewer discount question)**

Regarding the Water and Sewer Discount Program available to Newton homeowners, Sheila said that there was a question regarding the City's legal authority to offer such a discount to renters. A consensus was reached by the Committee to not let this issue go through further discussion or action by the Fair Housing Committee since the matter would probably need to be addressed at the State level through amended legislation. Individual renters who are disabled and claimed a disparate impact as a result of the program could request a reasonable accommodation from their housing provider.

Regarding the City Clerk reasonable accommodation issue – no new updates

Regarding a document received by Sheila from the Newton Housing Authority – Sheila explained that she received a document dated 2005 from the NHA, which was part of their Fair Housing Plan. The document was given to Committee members for review and comment.

Regarding new members – Sheila will soon have a definitive answer on whether Ms. Lischinsky would be joining the Fair Housing Committee.

Upcoming events – Sheila reminded the Committee on the Program on Reverse Mortgages co-sponsored by the Fair Housing Committee and the Lawyers Clearinghouse, which will be held on September 10, 2009 and the Austin St. Workshop sponsored by HAPI on September 24, 2009.

Sheila asked if any further action has been taken after the mayoral forum on affordable housing. Josephine said that a fact sheet would be comprised regarding housing matters in general, but nothing beyond this document would be created.

The meeting was adjourned.